IN THE HIGH COURT OF BOMBAY AT GOA

CRIMINAL WRIT PETITION NO. 44 OF 2007

KANTA TALKATKAR, PRESENTLY SERVING SENTENCE AT CENTRAL JAIL AGUADA, GOA. ... Petitioner

Versus

STATE OF GOA THROUGH CHIEF SECRETARY AND 3 ORS., ... Respondents

Mrs. Asha Dessai, Advocate for the petitioner.
Ms. W. Coutinho, Government Advocate for the respondents.

Coram:- D. B. BHOSALE &
N. A. BRITTO, JJ.

Date:- 4th December, 2007

P.C.

Heard learned Counsel for the parties. By this petition, the petitioner has prayed for directions to the respondents to release the petitioner, forthwith. It appears that the petitioner was convicted of the offences punishable under Sections 302, 376 and 392 of IPC and was sentenced to undergo Life Imprisonment. We are informed that the petitioner has, so far, undergone 20 years and two months of actual imprisonment. His earlier application for premature release was rejected on the ground that the Government did not grant consent for such release. It appears that the petitioner has once again applied for his premature release vide application dated 28.3.2006. The application has not yet been decided by respondent No.1.

2. Ms. Dessai, learned Counsel appearing for the petitioner submits that the petitioner would be satisfied if an appropriate direction is issued to respondent No.1 to decide the petitioner's application dated 28.3.2006 within time frame. Ms. Coutinho, learned Government Advocate has no

objection for issuing such direction and she submitted that respondent No.1 will decide the application made by the petitioner within six weeks. In view of the submissions made by the learned Counsel for the parties, we are satisfied that the following order shall meet the ends of justice :

Respondent No.1 shall endeavour to decide the petitioner's application dated 28.3.2006, as expeditiously as possible and preferably within a period of six weeks from the date of receipt of this order, on merits, in accordance with law and shall communicate the order, that would be passed, within a period of two weeks therefrom, to the petitioner.

The writ petition, accordingly, stands disposed of. Authenticated copy of this order be issued to the respondents.

D. B. BHOSALE, J.

N. A. BRITTO, J.

ssm.